

subclass 623.1;

(II) Claims 4, 9-11, 14-16 and 19, identified in the Action as being drawn to an electrolyte for a battery and in which magnesium salt is dissolved in an organic solvent, classified in class 429, subclass 188; and

(III) Claims 7, 8, 20 and 21, identified in the Action as being drawn to an electrolyte for a battery and in which magnesium salt is dissolved in a room temperature molten salt, classified in class 429, subclass 188.

Applicants elect the subject matter of group (II), claims 4, 9-11, 14-16 and 19, for prosecution in this application. This election is made without traverse with the understanding that the applicants' rights under 35 U.S.C. §§ 120 and 121 to the filing of a divisional application directed to the non-elected subject matter are retained.

The Action also includes an election of species requirement in which the Office is requiring the election of:

- A) a specific magnesium salt;
- B) a specific organic solvent; and
- C) a specific room temperature molten salt..

Applicants confirm the previous election of magnesium bistrifluoromethanesulfonimide as the magnesium salt. Applicants elect dimethoxyethane as the organic solvent.

A room temperature molten salt is not relevant to the group (II) claims, in which a magnesium salt is dissolved in an organic solvent, elected in response to the restriction requirement. However, in order to ensure a complete reply to the election of species requirement, applicants elect trimethylpropyl ammonium trifluoromethanesulfonimide as the room temperature molten salt.

These elections are also made without traverse. Claims 4, 9-11, 14-16 and 19 are believed to read on the elected species.

The foregoing is believed to be a complete and proper response to the Office Action dated July 10, 2007, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit

U.S. Patent Appln. S.N. 10/743,746  
RESPONSE TO RESTRICTION REQUIREMENT  
AND ELECTION OF SPECIES REQUIREMENT

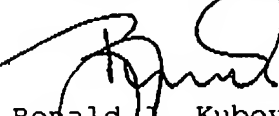
**PATENT**

Account No. 111833.

In the event any additional fees are required, please also  
charge our Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK



Ronald J. Kubovcik  
Reg. No. 25,401

Atty. Case No. MAM-036  
The Farragut Building  
Suite 710  
900 17th Street, N.W.  
Washington, D.C. 20006  
Tel: (202) 887-9023  
Fax: (202) 887-9093  
RJK/JBF/trb